

**LICENSING ACT 2003****LICENSING ACT 2003 SUB-COMMITTEE****5 MAY 2017**

<b>REPORT TITLE</b>	<b>APPLICATION TO REVIEW A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003</b>
<b>REPORT OF</b>	<b>MANAGING DIRECTOR FOR DELIVERY</b>

**REPORT SUMMARY**

The purpose of this report is to consider an application for a Review of a Premises Licence under the provisions of the Licensing Act 2003. The application is made by the Licensing Authority and relates to the premises known as 10 O'Clock Shop, 18 Grange Mount, Birkenhead.

**RECOMMENDATION/S**

The Licensing Act 2003 Sub-Committee are asked to Review the Premises Licence in respect of the above premises.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

1.1 It is a statutory requirement for this Committee to determine the application.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

3.1 These premises currently have a Premises Licence which permits the following Licensable Activity:

#### **Sale by Retail of Alcohol**

Monday to Saturday	08:00 to 23:00
Sunday	10:00 to 22:30
Good Friday	08:00 to 22:30
Christmas Day	12:00 to 15:00 and 19:00 to 22:30

3.2 The Licensing Act 2003 Sub-Committee may, having regard to the application for a Review and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is appropriate if it finds that the Review does not require it to take any steps that are appropriate to promote the licensing objectives.

### **3.3 APPLICATION**

3.4 An application has been received from the Licensing Authority to review the Premises Licence for the premises known as the 10 O'Clock Shop. The grounds for review are in relation to the sale of alcohol being sold outside of the hours permitted by the Premises Licence, alcohol being sold to a person who was drunk and the premises employing an individual who is not permitted to work in the UK.

3.5 Further information to support the above grounds for the Review is included within the application which is available.

### **3.6 REPRESENTATIONS**

#### **Merseyside Police**

In respect of this application, a representation has been received from Merseyside Police which supports the application to Review the Premises Licence made by the Licensing Authority. A copy of the representation is available.

## **Other**

Representations have been received which relate to concerns that there has been alcohol related anti-social behaviour within the vicinity of these premises over the past few years. Copies of the representations are available.

3.7 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board  
Planning Authority  
Fire Authority  
Environmental Health  
Public Health  
Trading Standards

## **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific implications arising from this report.

## **5.0 LEGAL IMPLICATIONS**

5.1 A decision of this Committee can be subject to Appeal.

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are no specific implications arising from this report.

## **7.0 RELEVANT RISKS**

7.1 There are none arising directly from this report.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 Statutory consultation has been undertaken in respect of this application.

## **9.0 EQUALITY IMPLICATIONS**

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## **REPORT AUTHOR:**

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## **APPENDICES**

None

## **REFERENCE MATERIAL**

- Application for a Review of a Premises Licence

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

Location of Premises



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